

THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

TODD KENNETH HOROB,

Plaintiff,

vs.

FEDERAL BUREAU OF PRISONS and
EMPLOYEES OF THE UNITED
STATES DEPARTMENT OF JUSTICE,

Defendants.

Cause No. CV 12-00041-BLG-RFC-CSO

ORDER TO CLOSE FILE

Plaintiff Todd Kenneth Horob, a federal prisoner proceeding pro se, submitted what was liberally construed as a civil complaint. The word "Complaint" appeared at the top of the document, Mr. Horob was listed as the plaintiff and the named defendants were listed as the "Federal Bureau of Prisons and Employ's The United States Department of Justice." (*Doc. 1*).

Horob did not submit a motion to proceed in forma pauperis and did not pay the filing fee. On April 5, 2012, Judge Ostby issued an order requiring Horob to either pay the \$350.00 filing fee as required by 28 U.S.C. § 1914(a) or file a motion to proceed in forma pauperis under 28 U.S.C. § 1915. (*Doc. 3*).

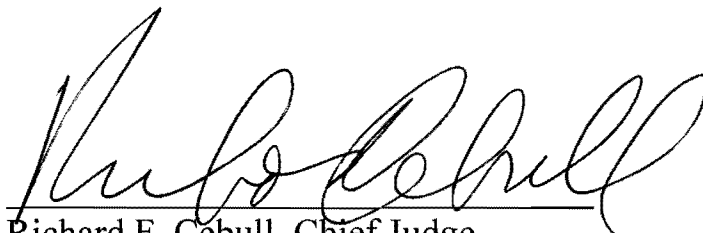
On April 13, 2012, Horob filed a document entitled "Heads up to Judge Ostby" wherein Horob states he did not file a Complaint alleging various claims with the District of Montana and he is not responsible to pay the filing fee or to proceed in forma pauperis. (*Doc. 4*). Horob also filed a Motion for the Federal Bureau of Prison to release him from false incarceration. (*Doc. 5*).

Whether or not Horob intended to file a complaint or not, no filing fee has been paid and no motion to proceed in forma pauperis has been filed, therefore no case has been initiated. Horob's Complaint has not been filed, it was simply lodged with the Court.

Accordingly, the Clerk of Court is directed to terminate all pending motions and close this file.

SO ORDERED.

DATED this 9th day of May, 2012.


Richard F. Cebull, Chief Judge
United States District Judge